

REMARKS

In the Office Action, the Examiner rejected claims 1-70 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,122,348 to French-St. George et al. ("French-St. George").¹

Claims 1-70 are currently pending with claims 1, 14, 24, 37, 47-49, and 62-69 being independent. Based on the following remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of the pending claims.

I. The § 102(b) Rejection of Claims 1-70 Based on French-St. George

Applicants traverse the § 102(b) rejection of claims 1-70 based on French-St. George. French-St. George does not disclose each and every element recited in claims 1-70. For example, independent claim 1 recites, among other things, "sending a notification of a collaboration request to a device associated with the calling party based on the response, the collaboration request being a request for a collaboration to share data interactively between the called party and the calling party, the collaboration being in addition to the call." French-St. George does not disclose at least this element of independent claim 1.

The Examiner asserted that French-St. George discloses the above recited element, citing col. 7, line 50 - col. 8, line 50 of French-St. George. French-St. George discloses "communications management options" available to a receiving party, which

¹ As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome this rejection, Applicants' silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, ability to combine references, assertions as to patentability of dependent claims) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to dispute such in the future.

include "answer/request transmission of communication event" 310, "listen to voice message" 350, "forward communication event to third party or mail system" 360, and "reject caller" 370 options. French-St. George, FIG. 3, col. 7, lines 50-57. However, none of these communications management options constitutes "sending a notification of a collaboration request to a device associated with the calling party based on the response, the collaboration request being a request for a collaboration to share data interactively between the called party and the calling party, the collaboration being in addition to the call," as recited in independent claim 1.

For example, the French-St. George "forward communication event to third party or mail system" 360 and "reject caller" 370 options do not send *any* notification to a device associated with the calling party. See French-St. George, col. 8, lines 29-50. Similarly, the "listen to voice message" 350 option does "request that the caller leave a message rather than complete the requested synchronous dialogue." French-St. George, col. 8, lines 23-29. Leaving a message does not constitute "a collaboration to share data interactively between the called party and the calling party." Therefore, requesting that the caller leave a message does not constitute "sending a notification of a collaboration request to a device associated with the calling party based on the response, the collaboration request being a request for a collaboration to share data interactively between the called party and the calling party," as recited in independent claim 1.

In addition, the French-St. George "answer/request transmission of communication event" 310 option does not disclose the above recited "sending" element. See French-St. George, col. 7, line 58 - col. 8, line 10. French-St. George

explains that only one of the suboptions of "answer/request transmission of communication event" 310 option involves informing the sender. See Id. For example, French-St. George discloses that the request for a change of communications media format 330 "informs the sender that a text message should be sent since it is inconvenient to talk right now." French-St. George, col. 8, lines 8-10. Sending a text message when it is inconvenient to talk, however, is not "a collaboration to share data interactively between the called party and the calling party," as recited in claim 1.

For at least these reasons, French-St. George fails to disclose each and every element recited in independent claim 1. Accordingly, Applicants respectfully request reconsideration and withdrawal of the § 102(b) rejection of independent claim 1 based on French-St. George.

Independent claims 14, 24, 37, 47-49, and 62-69, although of different scope, recite elements that are similar to those discussed above with respect to independent claim 1. For reasons similar to those set forth above with respect to independent claim 1, French-St. George does not support the § 102(b) rejection of independent claims 14, 24, 37, 47-49, and 62-69. Accordingly, Applicants respectfully request reconsideration and withdrawal of the § 102(b) rejection of independent claims 14, 24, 37, 47-49, and 62-69 based on French-St. George.

Dependent claims 2-13, 15-23, 25-36, 38-46, 50-61, and 70 depend from independent claims 1, 14, 24, 37, 49, and 69, respectively. Thus, dependent claims 2-13, 15-23, 25-36, 38-46, 50-61, and 70 incorporate elements that are missing from French-St. George, and are allowable for at least the same reasons discussed above. Accordingly, Applicants respectfully request reconsideration and withdrawal of

the § 102(b) rejection of claims 2-13, 15-23, 25-36, 38-46, 50-61, and 70 based on French-St. George.

II. Conclusion

In view of the foregoing, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

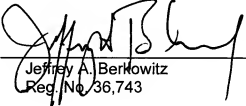
Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 3, 2010

By:



Jeffrey A. Berkowitz
Reg. No. 36,743